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**FILED**

NOV - 3 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 FERNANDO GUZMAN, et. al.,

15 Defendant.  
16

)  
) No. CR 08-00521 SBA

)  
) STIPULATION AND ~~PROPOSED~~  
) ORDER CONTINUING RESPONSE  
) AND REPLY DATE RE:  
) DEFENDANT'S RENEWED MOTION  
) FOR DISCLOSURE OF INFORMANT  
) AND *BRADY* INFORMATION  
)

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the  
18 government's response to defendant Fernando Guzman's renewed motion for disclosure of informant  
19 and Brady information ("Renewed Motion"), which is currently due to be filed on November 3,  
20 2009, may be filed no later than November 17, 2009. Mr. Guzman's reply in support of the  
21 Renewed Motion, currently due to be filed on November 17, 2009, may be filed no later than  
22 December 1, 2009. The motions hearing date, currently set for Tuesday, December 8, 2009, would  
23 be continued to Tuesday, January 12, 2010 at 11:00 a.m. The reason for the request is that the parties  
24 need additional time to investigate information raised by the Renewed Motion prior to filing the  
25  
26

1 response and reply. Time has already been excluded under the Speedy Trial Act until December 8,  
 2 2009 during the pendency of the pretrial motion in accordance with 18 U.S.C. §3161(h)(1)(D). This  
 3 exclusion should be extended through January 12, 2010 which is the date for the hearing on the  
 4 pretrial motion.  
 5

6 DATED: 11/02/09

\_\_\_\_\_/s/  
 JOYCE LEAVITT  
 Assistant Federal Public Defender

8 DATED: 11/02/09

\_\_\_\_\_/s/  
 CHRISTINA McCALL  
 Assistant United States Attorney

10  
 11 I hereby attest that I have on file all holographed signatures for any signatures indicated by a  
 12 conformed signature “/s/” within this e-filed document.

### 13 ORDER

14 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the government’s response to  
 15 the Renewed Motion may be filed no later than November 17, 2009. Mr. Guzman’s reply in support  
 16 of the Renewed Motion may be filed no later than December 1, 2009. The motions hearing date,  
 17 currently set for December 8, 2009, is continued to Tuesday, January 12, 2010 at 11:00 a.m.  
 18

19 IT IS FURTHER ORDERED that time will continue to be excluded under the Speedy Trial Act  
 20 until January 12, 2010 during the pendency of the pretrial motion. 18 U.S.C. §3161(h)(1)(D).

21 SO ORDERED.

22 DATED: 11/3/09

\_\_\_\_\_  
 HONORABLE SAUNDRA BROWN ARMSTRONG  
 United States District Judge